



RULES OF THE STATE PERSONNEL BOARD

478-1-.08 Political Activity

(1) Prohibited Political Activities:

Employees are prohibited from engaging in the following political activities:

- (a) Political activities of any nature during work hours.
- (b) Political activities of any nature while on work premises.
- (c) Solicitation of other employees for any political purpose, whether or not during work hours or on work premises.
- (d) Retaliation against any employee for engaging in permissible political activity.
- (e) Holding or being a candidate for any political office, except as provided in 478-1-.08(2).
- (f) Directing, managing, controlling, or participating in a political campaign for state office or for office in the county of the employee's employing unit, except as provided in 478-1-.08(2).
- (g) Serving as a watcher, challenger, or similar partisan worker in any election.
- (h) Seeking, using, or attempting to use any coercive political pressure to secure for themselves or any other person an appointment, promotion, salary increase or any other employment advantage.
- (i) Using or promising to use, directly or indirectly, any official authority or influence to influence the political action of any other person, or to affect the results of a nomination, campaign or election to any public office, political party office, or an office of a political organization.
- (j) Personally and knowingly endorsing or opposing candidates for state office or for office in the county of the employee's employer or residence in a political advertisement, broadcast, campaign literature rally or similar means of mass communication.
- (k) Circulating a recall petition.

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- (l) Transporting any political campaign literature or matter, or engage in soliciting votes, or transport any person or persons soliciting votes in any election or primary while traveling in a vehicle upon which the state is paying transportation mileage.
- (m) In addition to the prohibitions in this Rule, an employee whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency is covered by the Federal Hatch Political Activities Act (5 U.S.C.A. § 1501-1508). Such employees, as a matter of federal law, may not:
 1. use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
 2. directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or
 3. be a candidate for public elective office in a partisan election (which may include some part-time offices of local subdivisions of the State).
- (n) Employees are personally responsible for ascertaining whether they are eligible for appointment or election to a public office, political party office, or an office of a political organization. Part of this responsibility includes determining whether their positions are funded wholly or partly by loans or grants of an agency of the United States.

(2) Offering for and Holding Public Office:

An employee other than an agency head may offer for and hold any elective or appointive office of a political subdivision of the state, political party, or political organization; provided, the office is not full-time, does not conflict with the performance of the employee's official duties, and is not otherwise prohibited by law.

(3) Remedial Provisions:

Any applicant or employee who seeks, uses or attempts to use any coercive political pressure to secure an advantage in the employment process shall be disqualified for appointment or subject to appropriate disciplinary action.

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- (a) Any employee shall resign from employment or shall be terminated by the appointing authority upon becoming a candidate for any:
 - 1. full-time elective public office of a political subdivision of this state or any other state;
 - 2. full-time elective office of a political party or political organization;
 - 3. elective state office of this state or any other state;
 - 4. elective civil office of the federal government.
- (b) Candidacy for office shall be conclusively presumed whenever an employee personally engages in any political meetings, canvassing, solicitation of votes, solicitation of campaign funds or in any manner which may reasonably be construed as offering a personal candidacy for office.
- (c) No question shall be so framed as to attempt to elicit the political, social or religious affiliations of any applicant, eligible or employee. All voluntary disclosures thereon shall be discountenanced, and there shall be no discrimination because of such opinions or affiliations; provided, however, that this paragraph shall not be construed to prohibit such inquiries, questionnaires or related documents as may be required by the Sedition and Subversive Activities Act of 1953 (Ga. Laws 1953, p. 216, as amended) or other valid federal or state law.
- (d) Any employee who engages in prohibited political activity will be subject to prompt disciplinary action, up to and including termination of employment.

Authority:

O.C.G.A. Secs. 45-20-3, 45-20-3.1, 45-20-4.

History. Original Rule entitled "Vacancies" adopted. F. July 31, 1985; eff. July 1, 1985, as specified by the Board.

Amended: F. Aug. 2, 1988; eff. July 8, 1988, as specified by the Board.

Amended: F. Dec. 31, 1996; eff. Sept. 20, 1996, as specified by the Board.

Amended: F. Oct. 8, 1997; eff. Sept. 25, 1997, as specified by the Board.

Repealed: New Rule entitled "Political Activity" adopted. F. Dec. 23, 2008; eff. Dec. 17, 2008, as specified by the Agency.